

The subject of Section 13 of the Retailers' Occupation Tax Act is overcollection of tax. See 35 ILCS 120/13. (This is a GIL.)

March 7, 2001

Dear Xxxxx:

This letter is in response to our telephone conversation of recent date. As you may recall, I called you because a customer had filed a complaint with the Illinois Attorney General's Office. Specifically, the customer asserted that your business was charging sales tax on the sale of magazines.

I understand from our discussion that when you instituted the sale of magazines, your store was the first in your group of stores to sell this product. You advised that although your cash register computer software at first continued to charge sales tax, it was adjusted and has not charged sales tax on magazines since last Spring.

Please be informed this is a matter of importance because of the manner in which the tax acts treat an over-collection of sales tax. It can be a serious manner when a retailer knowingly over-collects sales tax.

Very truly yours,

Karl W. Betz
Associate Counsel

KWB:msk
Enc.